

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JIMMY LYONS, *et al.*,

Plaintiffs,

v.

LITTON LOAN SERVICING LP, *et al.*,

Case No.: 1:13-cv-00513-ALC-HBP

Defendants

**PLAINTIFFS' MOTION FOR  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiffs Jimmy Lyons, Jacqueline Lyons and Sheila Heard, on behalf of themselves and all others similarly situated ("Plaintiffs"), respectfully submit this Motion for Preliminary Approval of Class Action Settlement. In support thereof, Plaintiffs have contemporaneously filed a Memorandum of Law and the Declaration of Peter A. Muhic, with exhibits thereto.

For the reasons set forth in the Memorandum of Law, Plaintiffs respectfully request that the Court grant Plaintiffs' Motion and enter a Preliminary Approval Order in the form of Exhibit 3 to the Settlement Agreement: (1) preliminarily approving the Settlement; (2) approving the proposed Notices of Settlement and authorizing distribution of the Notices via first class mail (and by publication); (3) certifying the proposed Settlement Class; (4) designating the law firms Berger & Montague, P.C., Kessler Topaz Meltzer & Check, L.L.P., and Lowey Dannenberg Cohen & Hart, P.C. as Class Counsel; (5) designating Plaintiffs as class representatives; and (6) scheduling a Final Approval Hearing.

Dated: December 23, 2015

s/ Shanon J. Carson

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 23rd day of December, 2015, a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

*s/ Shanon J. Carson*

Shanon J. Carson